

REMARKS

Status of the Claims

- Claims 1, 3-5, and 7-9 are pending in the Application after entry of this amendment.
- Claims 1, 3-5, and 7-9 are rejected by the Examiner.

Claim Rejections Pursuant to 35 U.S.C. §103

Claims 1, and 3-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,615,248 to Smith et al. (Smith) in view of U.S. Patent No. 6,931,593 to Grooters et al. (Grooters), in further view of U.S. Patent Publication No. 2003/0204497 to Kalogeraki et al. (Kalogeraki), and in further view of U.S. Patent No. 7,444,661 to Wugofski. Applicant respectfully traverses the rejection.

The Applicant considers that at least the Claim 1 feature of: "sending over the network, from the controlling device, a single command specifying a filtering criterion but not specifying a recipient device, each recipient device not responding if the respective device has no content corresponding to the criterion" is not taught nor suggested by any of the cited art.

Page 5 of the present Office Action states:

"Combination of Smith, Grooters and Kalogeraki meets all the limitation of the claim except "each recipient device not responding if the respective device has no content corresponding to the criterion"; However, Wugofski discloses (col. 6, lines 3-31) that information system searches for a device with tuning source in the home network and when it determines that the device in question is not a tuning source (non responsive), it continues to look for next device which is a tuning source

as represented in Fig.4 (element 416)..." (See present Office Action, page 5)

The Applicant respectfully disagrees that Wugofski teaches the Claim 1 feature of "sending over the network, from the controlling device, a single command specifying a filtering criterion but not specifying a recipient device, each recipient device not responding if the respective device has no content corresponding to the criterion".

Wugofski discloses a system for communicating with a device coupled to the system via a network such that the tuning capabilities of the device can be made available for access and control via the system's program guide through placement of the device's tuning capabilities as a channel selection on the system's program guide. (See Wugofski, Abstract).

In Figures 1 and 2 of Wugofski, an information handling system 100 comprises a display, storing means and numerous communication means through a network with remote devices such as a television 230, A VCR 232, an RF antenna 234, etc.. All of these devices are linked by a home network 228. The information handling system 100 is coupled with a display 114 for displaying information such as television programming or EPG information.

Wugofski discusses the EPG in column 5 lines 9 to 15:

"In accordance with the present invention, an electronic program guide (EPG) embodied as a set of instructions executed by information handling system 100 may utilize network 228 for incorporating information regarding tuning sources (e.g., television 230, VCR 232) disposed at second location 212 remote from first location 210 at which information handling system 100 is disposed." (See Wugofski, col. 5, lines 9-15).

Wugofski at col. 6 lines 3 to 31 discloses that the program guide 310 generates program guide data provided from tuning source devices such as satellite receiver 220, network interface device 222, VCR 224, DVD player 226, etc. that are directly connected to information handling system 100. The program guide searches the devices coupled to the network 228 for retrieving the data. More specifically, Wugofski discloses column 6 lines 12 to 34 :

"Program guide 310 searches at step 412 for devices coupled to network 228, for example television 230, VCR 232, etc. (In an alternative embodiment, the devices can announce themselves and their capabilities to the network in an active, rather than passive, approach.) Devices coupled to network 228 are then identified at step 414, for example by examining a registry of network 228 with home network device registry API 312. A determination is made at step 416 whether a device in question coupled to network 228 is an available tuning source, i.e., is capable of providing content, or is a potential source of programming material, such as through live feeds (including satellite or cable feeds) or through a fixed medium (such as a videotape or DVD). The determination made at step 416 may be made, for example, based upon information in the registry of network 228 obtained via home network device registry API 312. In the event that the device in question is not a tuning source, devices coupled to network are continued to be identified at step 414. For example, method 400 may continue with device identifying step 414 as devices are added to network 228 by examining event and service information 318." (See Wugofski, col. 6, lines 12-34).

Therefore, the information handling system 100 examines a network registry and examines, one by one, device by device, presumably by addressing the network registry, which device connected to the network is a candidate as a source of program data. Then, the information handling system

100 determines for each device if this device is a source device (i.e. a tuning source) or not. If the individual device being investigated is not a tuning source, then the next device, presumably the next device that is addressed in the registry, is investigated and determined to be a tuning source or not.

Wugofski discloses at column 6 lines 34 to 42:

"In the event the device in question is a tuning source, the device is added to the program guide data as an available tuning source 418. When a device is added to program guide data, the device is accessible by a user of information handling system 100 via program guide 310 such that the device may be selected via program guide 310, and a signal tuned by the device may be received by information handling system 100 such that information encoded in the signal may be reproduced on display 114". (See Wugofski, col. 6, lines 34-42).

Applicant respectfully submits that one of skill in the art would recognize that the information handling system 100 of Wugofski knows well if a device can provide content or not because of the device-by-device search, identification, and determination conducted using the network registry made in steps 412, 414, and 416 of Figure 4.

When the information handling system 100 needs data for displaying or other, the user sends a request only to the source device, and not to any device that cannot be "capable of providing content". Since only devices capable of providing content (tuning source devices) are added to the program guide for subsequent user selection, then the user, via the information handling system 100, can only request data from specific devices. Thus the requests from the program guide of Wugofski specifies the recipient device.

Therefore, the Claim 1 feature of "sending over the network, from the controlling device, a single command specifying a filtering criterion but not specifying a recipient device" is not taught nor suggested by Wugofski.

Thus, according to Wugofski's teaching, the information handling system 100 sends requests for retrieving content only to the devices that are capable of providing content. Request for content are not sent to devices that are not capable of providing content, i.e. non-tuning devices that has no content to send. Wugofski is silent as to what happens if a known source device has nothing to send in response to a request. But, one of skill in the art can be sure that the request for information is only sent to devices with content according to the teachings of Wugofski.

Therefore, the Claim 1 feature of "each recipient device not responding if the respective device has no content corresponding to the criterion" is not taught or suggested by Wugofski.

Applicant respectfully submits that Wugofski neither teaches nor suggests the Claim 1 aspect of "sending over the network, from the controlling device, a single command specifying a filtering criterion but not specifying a recipient device, each recipient device not responding if the respective device has no content corresponding to the criterion".

Therefore, it is respectfully submitted that the combination of Smith, Grooters, Kalogeraki and Wugofski does not teach or suggest disclose or suggest the above-mentioned Claim 1 aspect. Hence, at least the above-mentioned Claim 1 aspect patentably defines over the combination of cited art. Applicant notes that independent Claims 7-9 also contain a similar patentably distinct aspect.

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Applicant respectfully submits that independent Claims 1 and 7-9 are not rendered obvious under 35 USC §103(a) because all elements of the pending claims are not found in the cited art. Accordingly, pending dependent Claims 3-5, which depend on independent Claim 1, are also rendered non-obvious per MPEP §2143.03.

Conclusion

Applicant respectfully submits that the amended pending claims patentably define over the cited art. Reconsideration and withdrawal of the rejections of all pending claims is also respectfully requested as is consideration for a Notice of Allowance.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 07-0832 therefore.

Respectfully submitted,
Willem Lubbers et al.

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